

CHAPTER 5

CIVIL RIGHTS RESPONSIBILITIES *OF CDBG GRANTEES*

ASSURING CIVIL RIGHTS = **Assuring Fairness and Nondiscrimination in CDBG Projects**

- **Assuring compliance with Title VII of the Civil Rights Act of 1964 and other state and federal civil rights laws as you implement your CDBG project**
- **Federal and state civil rights requirements are intended to ensure equal opportunity and access to all of the benefits emanating from the Montana CDBG Program.**

Civil Rights laws protect people in your community from discrimination on the basis of:

- **Age**
- **Color**
- **Creed**
- **Marital Status**
- **National Origin**
- **Physical or mental handicap**
- **Gender**
- **Race**
- **Religion**
- **Political ideas**
- **Family Status (families with children)**

Population groups specifically protected by the provision of federal and state civil rights laws include:

- **Minorities, such as:**
 - **Blacks**
 - **Hispanics**
 - **Native Americans**
 - **Asians**
- **Women**
- **Groups distinguished by age**
 - **Elderly**
- **Physically and mentally handicapped persons**

Civil Rights Responsibilities: Overview and Checklists

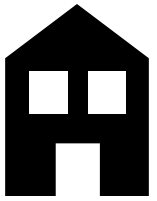
- ❑ **Exhibit 5-U: Civil Rights Checklist**
 - 1. Civil rights responsibilities at project start-up -- before CDBG approval of the first request for funds**
 - 2. On-going civil rights responsibilities after project start-up**

- ❑ **Exhibit 12-A: Monitoring Checklist**
 - ❑ **CDBG Monitoring for Civil Rights protection:
Pages 12-A1.18 through 12-A.22**

Civil Rights Responsibilities at Project Start-Up

Prior to your first request for funds, adopt:

- ☐ **Nondiscrimination and Equal Employment Opportunity (EEO) Resolutions and Policies**
(Exhibits **5-A, 5-B, 5-C, 5-L**; pages 5-3 and 5-9)
- ☐ **Hatch Act Resolution** (Exhibit **5-Q**; page 5-3)
- ☐ **Fair Housing Resolution** (Exhibit **5-M** and pages 5-2 and 5-9)



Fair Housing Requirements... in all CDBG Projects? **YES**

- ❖ **Passage of a Fair Housing Resolution** -- to start a good faith effort to affirmatively affirm fair housing, a requirement for communities receiving CDBG funds. (Pages 5-2 and 5-18 through 5-21)
- ❖ **Publicize and promote** the adopted Fair Housing Resolution (Pages 5-9 and 5-10)
 - ❖ **Exhibit 5-M** (Fair Housing Resolution)
 - ❖ **Exhibit 5-N** (Fair Housing Poster)
 - ❖ **Exhibit 5-O** (Fair Housing Handout and Complaint Pamphlet)

ADA and Section 504 Responsibilities at Project Start-Up

Prior to the first request for funds:

Conduct an ADA Self-Evaluation (Americans with Disabilities Act)

Prepare an ADA Transition Plan for Handicapped Accessibility to Local Public Facilities

Page 5-22 and following; Exhibits 5-S and 5-T

Adopt ADA and Section 504 (Rehabilitation Act)

Complaint Resolution Procedures (Exhibit 5-R)

Pages 5-2, 5-6 through 5-8, and 5-22 through 5-30

Accessibility for Handicapped / Disabled Persons *in Federally-Funded Projects*

CDBG grantees are responsible for providing access to handicapped / disabled persons in four areas:

- 1) Communications (Page 5-24)**
- 2) Employment Opportunities (Page 5-26)**
- 3) Program benefits (Page 5-27)**
- 4) Physically accessibility to grantee offices and buildings constructed (Pages 5-28 through 5-30)**

Ongoing Civil Rights Responsibilities

-- After Project Start-Up

- ❖ Ensure that no one is discriminated against in receiving services and benefits from the CDBG project
- ❖ Place the CDBG-required civil rights language in all bid documents and in all contracts.
 - ❖ Exhibits 3-F, 3-G, 9-B and 9-C.
- ❖ Publish a “Section 3” Public Notice or its equivalent
 - ❖ Section 3: *Economic Opportunities for Low and Moderate Income Persons* (Exhibit 5-B), and page 5-10

“EEO -- Equal Employment Opportunity”

Civil Rights and Employment in Federally-funded Projects:

EEO applies to:

- ❖ government employment
- ❖ employment by government contractors or subcontractors, and
- ❖ employment in all construction contracts **that are funded in whole or in part with federal money such as CDBG funds**

**Women's Business Enterprises
and
Disadvantaged Minority Business Enterprises**

**Presidential Executive Orders
12138, 11625 and 12432
establish the development of Women's and
Disadvantaged Business Enterprises (DBEs)
as a national priority.**

**CDBG Manual
Pages 5-10 through 5-11
and Pages 5-17 through 5-18**

**Assistance for Contracting with
Disadvantaged Business Enterprises (DBEs)**

Montana Department of Transportation

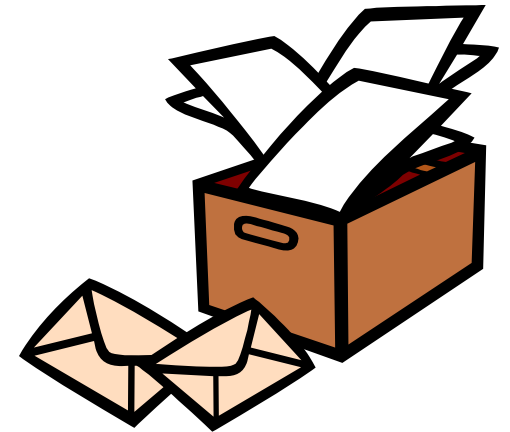
Phone: (406) 444-6335 / Fax: (406) 444-7685



Responsibility to Maintain A Civil Rights File

Your Civil Rights File should document your activities concerning civil rights and nondiscrimination in five general areas (pages 5-14 and following**):**

- 1. Program benefits**
- 2. Grantee employment practices**
- 3. Contractor affirmative action**
- 4. Affirmatively Furthering Fair housing**
- 5. Handicapped Accessibility**



Applicable to “direct benefits” projects:

Exhibit 5-D (Individual Direct Benefit Recording Form)

Exhibit 5-E (Direct Benefit Summary Data)

Checklists and Chapter 5 Exhibits

- ❑ **Exhibit 12-A: Monitoring Checklist CDBG Monitoring for Civil Rights. Pages 12-A1.18 through 12-A.22**
- ❑ **Exhibit 5-U: Civil Rights Checklist**
- ❑ **Exhibits 5-A through 5-U: Page 5-34**